



Meeting Notice

Pilot Rule Development for Amending SRF

Pilot rule development for State Revolving Fund (SRF) regulation would allow for “design/build” concept for completion of wastewater facilities.

Introduction

The Washington State Department of Ecology (Ecology) is hosting a public meeting to seek informal input as it initiates a “pilot rulemaking process” to amend Chapter 173-98 WAC, *Uses and Limitations of the Water Pollution Control Revolving Fund*, to allow public bodies to use the “design/build” concept for completion of wastewater facilities. This regulation was substantially updated in December, 2000. Therefore, the scope of the pilot rulemaking process will be limited to new design/build (D/B) provisions. There are no such provisions in the present rule.

Several public bodies have expressed a serious interest in the D/B concept, and at least one public body will use the concept for a major wastewater facilities project beginning in 2003 and during the next several years. These public bodies would like to apply for State Revolving Fund (SRF) financial assistance during the FY 2004 funding application period (January/February 2003). If they are successful during the application process, they would like to incorporate D/B concepts into SRF eligible components of its project.

Other public bodies are to be encouraged to do likewise. However, the criteria and specific provisions to allow D/B need to be developed with public input.

Date, Time and Location of Public Meeting

**Thursday, July 25, 2002
10:00 a.m.
Hal Holmes Community Center
201 North Ruby Street
Ellensburg, WA**

A map and driving directions are available from mapping websites, or you can obtain directions by e-mailing or writing the staff contact noted at the end of the announcement.

Topics for Discussion and Consideration

Background: A brief explanation of the SRF program will be provided followed by an overview of the pilot rulemaking process. The target schedule for rulemaking and other related activities will be discussed. Copies of statutes and regulations that must be complied with for D/B will be available at the meeting, and may be discussed.

If the pilot rulemaking process is completed, as anticipated, Ecology’s Water Quality Program will allow qualified public bodies to apply for financial assistance for design/build

projects during its FY 2004 funding cycle (beginning in January 2003) for SRF loan projects. *Facilities projects are loan eligible only.* Qualified public bodies must comply with state of Washington laws (including those regarding D/B provisions) and must meet criteria to be established by pilot regulation.

At the meeting Ecology staff will seek stakeholder input on:

1. The *specific* criteria for acceptance of participants into the pilot process. Initial *general* criteria include:
 - Institutional, financial management, legal and engineering capability;
 - Ability to independently choose experienced D/B firm;
 - Ability to prepare (or contract for the preparation of) a preliminary design report;
 - Ability to meet performance standards and reporting requirements to adequately evaluate the pilot process; and
 - Other relevant criteria.
2. Additional rule language Ecology would be advised to include.
3. Other related issues.

Ecology will also establish a mailing list of potential participants.

Where to Submit Written Recommendations

If you wish to comment on the proposed amendment relating to D/B, comments may be sent (either electronically or by mail) to the Ecology staff contact:

Dan Filip
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
360.407.6509
dfil461@ecy.wa.gov

If you are unable to attend the meeting and would like copies of information distributed, please contact Dan Filip, or visit Ecology's Grant and Loan WEB page:

<http://www.ecy.wa.gov/programs/wq/funding/2003/index.html>

Ecology is an equal opportunity agency. If you have special accommodation needs, desire directions for meeting locations, or require the fact sheet and proposed permit in an alternative format, please contact Dan Filip at (360) 407-6509. The TDD number is (360) 407-6006.